

66309-200



DT03 REC'd PCT/PTO 05 JAN 2005 PCT #4

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	PATENT
	)	
Eligio BAU <i>et al.</i>	)	Group Art Unit: Unassigned
	)	
Serial No.: 10/511,330	)	Examiner: Unassigned
	)	
Filed: October 15, 2004	)	
	)	
For: <b>SANDING MACHINE</b>		

**TRANSMITTAL LETTER**

January 5, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are the new Declaration and Power of Attorney and a Verified Statement (Declaration) Claiming Small Entity for the above-identified application.

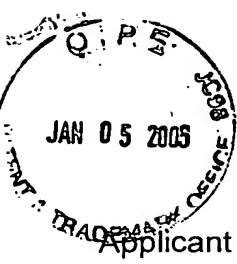
The Commissioner is authorized to charge any additional fees to Deposit Account 04-2223 or credit any overpayment thereto.

Respectfully submitted,

DYKEMA GOSSETT

John P. DeLuca  
Registration No. 25,505

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1300 I Street, N.W.,  
Suite 300 West  
Washington, D.C. 20005  
Tel: (202) 906-8600



Attorney's Docket No: 66309-200

Applicant or Patentee: \_\_\_\_\_

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: SANDING MACHINE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: COSTA LEVIGATRICI SPA

ADDRESS OF CONCERN: VIA VENEZIA, 144 – 36015 SCHIO (VI) – ITALY

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 37 C.F.R. §121.3-18, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled SANDING MACHINE

by inventor(s) BAU', Eligio and ZANUSO, Nevio

described in:

- ☐ the specification filed herewith
- ☒ application serial no. \_\_\_\_\_, filed October 14, 2004
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. §1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d), or a nonprofit organization under 37 C.F.R. §1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. §1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

I acknowledge the duty to file in this application or patent notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING COSTA, Luciano

TITLE OF PERSON OTHER THAN OWNER Managing Director

ADDRESS OF PERSON SIGNING Via Garibaldi, 51 36031 Dreville (VI)

SIGNATURE  DATE October 18, 2004

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION (Includes PCT)

Attorney Docket No.

66309-200

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; that

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SANDING MACHINE

the specification of which (check one): ☐ is attached hereto.

☒ was filed on October 14, 2004 as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_.

☐ was filed as PCT international application no. \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I do not know and do not believe the claimed invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby claim foreign priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>VI2002A000080</u> (Number)	<u>ITALY</u> (Country)	<u>02/05/2002</u> Day/Month/Year Filed	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ Day/Month/Year Filed	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119 (e) of any United States provisional application(s) listed below:

Application No.	Day/Month/Year Filed	Application No.	Day/Month/Year Filed
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
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Application Serial No.

Filing Date

Status (patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; Lawrence R. Radanovic, Reg. No. 23,077; Richard H. Tushin, Reg. No. 27,297; Donald N. Huff, Reg. No. 27,561; John P. DeLuca, Reg. No. 25,505; Sandra S. Snapp, Reg. No. 41,444; Charles Rutherford, Reg. No. 18,933; Robert L. Kelly, Reg. No. 31,843; Kevin M. Hinman, Reg. No. 35,193; Ernest E. Helms, Reg. No. 29,721 and William F. Kolakowsky, Reg. No. 41,908, all of Dykema Gossett PLLC. Direct all telephone calls to telephone no. **(202) 906-8600** and faxes to **(202) 906-8669**.

Address all correspondence to **Dykema Gossett PLLC, Suite 300 West, 1300 I Street, N.W., Washington, D.C. 20005-3306**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole, First Inventor <u>BAU', Eligio</u>	Inventor's Signature <i>Bau' Eligio</i>	Date October 18 2004
Residence: VIA DANTE ALIGHIERI, 2 - 36042 <u>BREGANZE</u> (VI) - ITALY <i>ITX</i>		Citizenship ITALIAN
Post Office Address: SAME AS ABOVE		
Full Name of Second, Joint Inventor <u>ZANUSO, Nevio</u>	Inventor's Signature <i>Nevio Zanuso</i>	Date October 18 2004
Residence: VIA EUROPA, 140 - 36010 <u>CAVAZZALE</u> (VI) - ITALY <i>ITX</i>		Citizenship ITALIAN
Post Office Address: SAME AS ABOVE		